

Notice of Allowability

Application No.

10/687,703

Examiner

V. Paul Harper

Applicant(s)

SCARANO ET AL.

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/24/06.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |



EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Michael J. Strauss on 5/16/06.

3. The application has been amended as follows:

Beginning of amendment:

In **claim 15**, on line 5, the phrase "defining a phrase to use for searching;" should be replaced by --defining a phrase and intrinsic data to use for searching;--.

Delete **claim 31**.

Delete **claim 32**.

End of amendment:

Reasons for Allowance

4. Claims 1-30 are allowed.

Regarding claims 1 and 16, it is noted that the closest prior art of record, Clements et al. ("Phonetically Searching Applied On-line Distance Learning Modules, " IEEE DSP Workshop, October 13-16, 2002) teaches phonetic searching using a phrase for searching, but Clements et al. do not teach the more specific feature of defining

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search criteria containing a phrase and data values to use for searching and then searching a set of audio segments for said phrase and said data values (claim 1), or the use of a search engine operable to search a set of audio segments and intrinsic data associated therewith for (i) said phrase and (ii) ones of said audio segments satisfying match criteria for said intrinsic data (claim 16). Thus, independent claims 1 and 16 are allowable over the prior art of record because the cited prior art alone or in combination, does not fairly suggest or disclose the claimed combination of features.

Regarding claims 15, 29, and 30, it is noted that the closest prior art of record, Glowny (U.S. Patent Application Publication 2001/0040942 A1) discloses a method for recording and storing telephone call information including the ability to retrieve recordings based on metadata, but Glowny does not teach defining a phrase and intrinsic data to use for searching and then searching a set of audio segments for said phrase and said intrinsic data (claim 15); or the use of a search engine connected to a supervisory terminal and to a memory for searching based on intrinsic data and a search phrase (claim 29); or establishing a search criteria including (i) speech and Structured Query Language (SQL) criteria for locating spoken words or phrases in said audio segment using speech recognition technology and (ii) information regarding each of the audio segments, and searching said set of audio segments and said database in accordance with said search criteria (claim 30). Thus, independent claims 15, 29, and 30 are allowable over the prior art of record because the cited prior art alone or in combination, does not fairly suggest or disclose the claimed combination of features.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to V. Paul Harper whose telephone number is (571) 272-7605. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

5/17/06

V. Paul Harper
Patent Examiner
Art Unit 2626

A handwritten signature in black ink, appearing to read "V. Paul Harper", is written over a light gray grid background.